

REMARKS

1. Rejection of Claims 1-4, 6-7, 17-18, and 21 under 35 U.S.C. §102(b)

The Examiner has rejected Claims 1-4, 6-7, 17-18 and 21 under 35 U.S.C. §102(b), based on the contention that they are anticipated by U.S. Patent No. 5,279,631, issued to Pingel (Pingel'631). Of the rejected claims, Claim 1 is in independent form, while Claims 2-4, 6-7, 17-18 and 21 depend either directly or indirectly therefrom. Applicant respectfully traverses the Examiner's rejections of these claims. To clarify the invention, however, Applicant has amended Claim 1. As amended, Claim 1 is not taught, disclosed or suggested by Pingel '631.

The present invention is directed to a device for dusting products on a conveyor belt, wherein a powder jet is emitted from a powdering device within a housing. Conventional devices such as this device have problems with accumulation of powder on the housing walls, which can create clumps or flakes that may thereafter fall onto the products, damaging the powdering job. Thus, there is a need for a device that prevents the accumulation of powder particles on the walls of the housing.

As described in the Background section of the present invention, conventional devices have solved this problem by including microporous plates on the walls of the device. These plates are fed with pressurized/compressed gas, creating a low-flow stream of air out of the wall, preventing powder accumulation. The plates, however, are expensive, and so is the requirement that compressed air be used.

The presently claimed invention solves the problem with a simpler and more efficient device. Instead of the expensive microporous plates, the present invention spaces a filter mat arrangement away from a wall of the housing, creating a plenum. The plenum is then connected to a purging air source, which is blown through the filter mat arrangement, ensuring that powder does not accumulate on the mat.

Pingel '631, on the other hand, is directed to the exact opposite device. Pingel '631 discloses a powdering cabin for powdering products, where one wall includes a filter 22 attached to a suction device. The filter mat accumulates powder on its surface because, during operation, the suction pulls the excess powder to the filter 22, trapping the particles thereon.

Pingel '631 does provide a device for removing the powder from the filter 22, which comprises a different structure than the presently claimed invention. Specifically, Pingel '631 discloses two small air discharge units 71 that are movably arranged on the rear of the filter 22. The filter 22 is mounted on a honeycomb structure, and the discharge units provide positive pressure behind single honeycomb units for cleaning the filter area associated with that unit by back-flow air.

Pingel '631, however, at least does not disclose spacing the filter mat from at least one housing wall, so as to create a plenum therebetween, nor does it disclose connecting such a plenum to a purging air source. The present invention enables the entire filter mat arrangement to be used to direct purging gas into the housing, while Pingel '631 is directed to individual honeycomb cells. Furthermore, Pingel '631 actually teaches away from the present invention, as Pingel '631 seeks to trap powder particles on the filter,

while the present invention seeks to prevent the powder from becoming entrapped on the filter mat arrangement.

As can be seen, Claim 1 as clarified above is not taught, disclosed or suggested by the present invention. Therefore, Applicant submits that Claim 1, along with all Claims dependent therefrom, should now be in condition for allowance. Therefore Applicant respectfully requests the Examiner withdraw the rejection under §102(b).

2. Rejection of Claims 5, 8-15, and 19-20 under 35 U.S.C. §103(a)

In addition to the above, the Examiner has additionally rejected Claims 5, 8-15, and 19-20 under 35 U.S.C. §103(a), based on the contention that they are unpatentable over Pingel'630 in view of a number of other references. Again, Applicant respectfully traverses the Examiner's rejections. Notwithstanding this traversal, however, Applicant notes that all of Claims 5, 8-15, and 19-20 depend either directly or indirectly on now-allowable Claim 1, and therefore Applicant submits that the Examiner's rejection under 35 U.S.C. §103(a) is now moot. Thus, Applicant respectfully requests withdrawal of the Examiner's rejection under §103(a). Again, Applicant respectfully traverses the Examiner's rejections. Notwithstanding this traversal, however, Applicant notes that all of Claims 5, 8-15, and 19-20 depend either directly or indirectly on now-allowable Claim 1, and therefore Applicant submits that the Examiner's rejection under 35 U.S.C. §103(a) is now moot. Thus, Applicant respectfully requests withdrawal of the Examiner's rejection under §103(a).

3. Additional Claims

Applicant has added new Claims 22-24, directed to different embodiments of the present invention. These claims represent a combination of new Claim 1 with current claims 4, 8 and 16, respectively. Given that these claims include the limitations of now-allowable Claim 1, Applicant respectfully requests allowance of all of Claims 22-24 with the present invention.

4. Conclusion

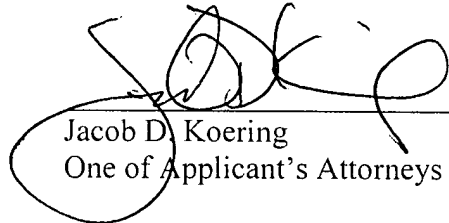
As amended and added above, all of Claims 1-24 should now be in condition for allowance. Therefore, reconsideration and passage to allowance is respectfully requested.

Should anything further be required, a telephone call to the undersigned at (312)
226-1818 is respectfully solicited.

Respectfully submitted,

FACTOR & PARTNERS, LLC

Dated: December 4, 2003



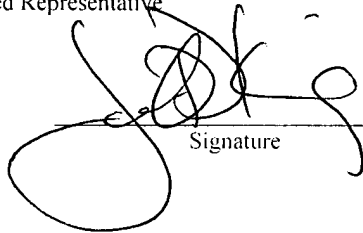
Jacob D. Koering
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Patent Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 4, 2003.

Jacob D. Koering

Name of Applicant, assignee, applicant's attorney or
Registered Representative



Signature